

**PROPOSED CATEGORY MAP AMENDMENTS
MONTGOMERY COUNTY COMPREHENSIVE WATER SUPPLY AND
SEWERAGE SYSTEMS PLAN – 2024-1 GROUP
FOUR ADMINISTRATIVE CASES**

The Planning Board is required by State law to make a Master Plan and Water and Sewer Plan conformance determination on each of the Water and/or Sewer Category Change Requests.

Completed: June 20, 2023

MCPB
Item No. 10
June 27, 2024

2425 Reddie Drive
Floor 14
Wheaton, MD 20902

Montgomeryplanning.org


Planning Staff



Jamey Pratt, Planner III, Jamey.Pratt@montgomeryplanning.org, 301-495-4588



Don Zeigler, Supervisor, Upcounty Planning Division, Donnell.Zeigler@montgomeryplanning.org, 301-495-4583



Patrick Butler, Chief, Upcounty Planning Division, Patrick.Butler@montgomeryplanning.org, 301-495-4561

LOCATION/ADDRESS

Four locations throughout the county

MASTER PLANS

1997 *Cloverly Master Plan*

2002 *Potomac Subregion Master Plan*

APPLICANT

Montgomery Co. Dept. of Environmental Protection

ACCEPTANCE DATE

May 23, 2024

REVIEW BASIS

Section 9-506(a)(1-2)(ii)

Maryland Annotated Code, Environment

Summary

- The Planning Board is required by State law to make a Master Plan conformance determination for three of the four Water and Sewer Category Change Requests included in the packet.
- The Planning Board's recommendation will be transmitted to the County Executive for final action.
- The Planning Staff recommendation of approval for each of these cases is consistent with the Executive Staff recommendations. See Attachment A.

SECTION 1: SUMMARY

The Planning Board is required by State law to make a Master Plan conformance determination on each Water and Sewer Category Change Request (WSCCR).

The Planning Board's recommendations will be transmitted to the County Executive prior to final action. For each case, information and maps of zoning, existing and proposed use, and recommendations from other agencies are shown in the attached packet from the County Executive (Attachment A).

The Administrative Public Hearing is scheduled for June 26, 2024. Montgomery County Department of Environmental Protection (MCDEP) will close the public record on July 3, 2024. Planning Staff's recommendation of approval of each case is consistent with County Executive Staff's recommendations.

SECTION 2: RECOMMENDATIONS

WSSCR 23-POT-04A: KIRSTEN & BRETT QUIGLEY

Property address: 9736 The Corral Drive, Potomac.

The applicant is modifying unfinished space in an existing single-family detached house to accommodate an accessory dwelling unit and requests a sewer category change from S-6 to S-1 to allow public sewer service. The property is within the 2002 *Potomac Subregion Master Plan* area and is outside the planned public sewer service envelope. A gravity sewer line runs in The Corral Drive abutting the property.

The master plan recommends public sewer service in the RE-2 zone within and at the periphery of the proposed sewer service envelope and where allowed by policies in the *Water and Sewer Plan*. The *Water and Sewer Plan*'s abutting mains policy allows connections for properties abutting existing or approved mains. The property is eligible for public sewer service.

The Department of Environmental Protection (DEP) granted an advance approval for public sewer service for the property on July 7, 2023.

MCDEP Staff Recommendation: Approve S-1

Planning Staff Recommendation: Approve S-1

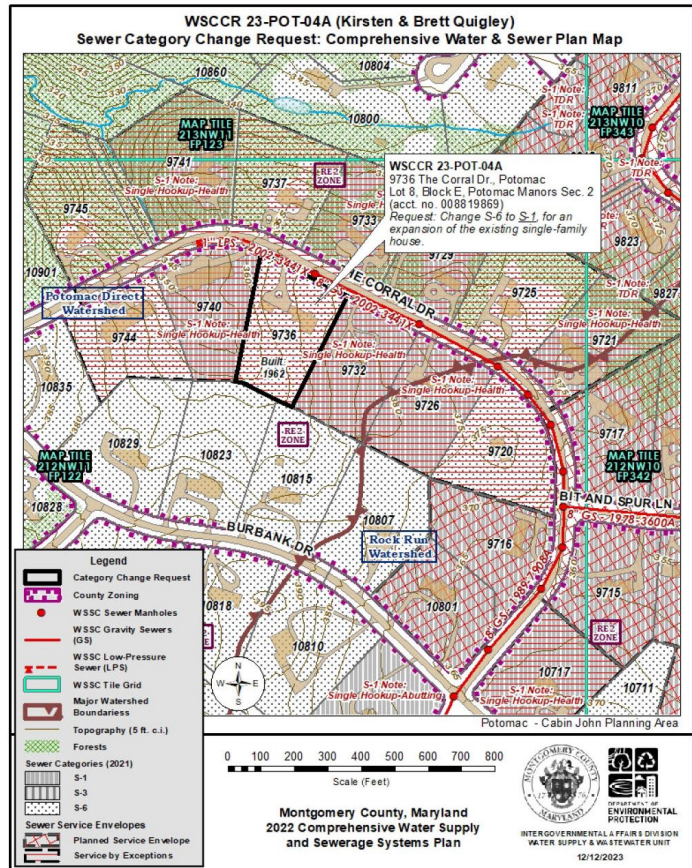


Figure 1. Page 5, Attachment A

WSSCR 24-PAX-01A: BRIAN YONG

Property address: 16406 Batson Road, Spencerville.

The applicant desires to build a single-family detached house on the property and requests a category change from W-6 to W-1 for public water service. The property is within the 1997 *Cloverly Master Plan* area. The master plan recommends the extension of public water to RC-zoned properties in the plan area when the impact to natural resources is minimal. The property can connect to an existing water main in Batson Road via an existing easement across the intervening property (see Figure 3). Connection to an existing main in the public right-of-way minimizes impacts to natural resources. The property is eligible for public water service.

MCDEP Staff Recommendation: Approve W-1

Planning Staff Recommendation: Approve W-1

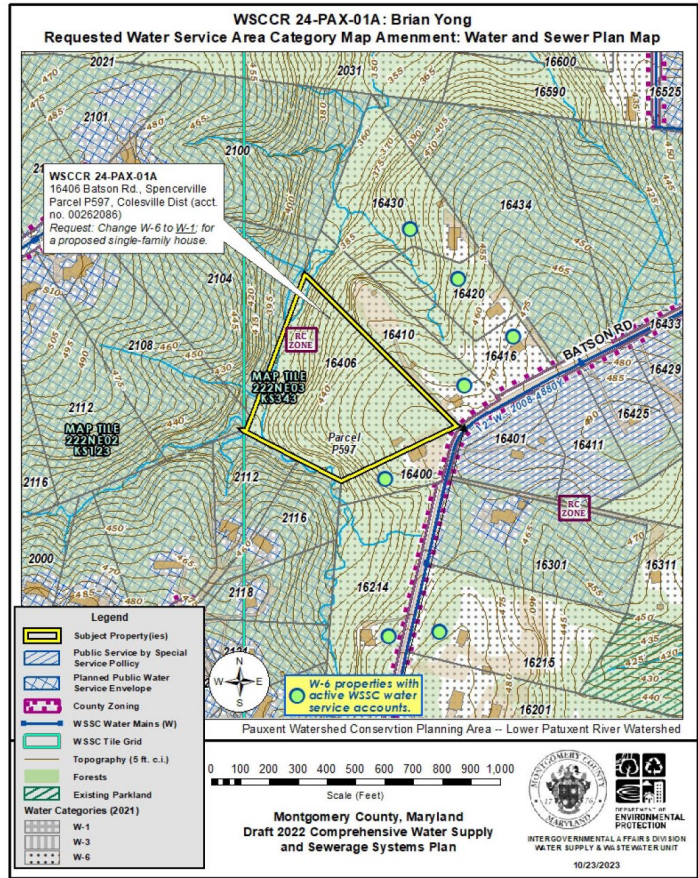


Figure 2. Page 12, Attachment A

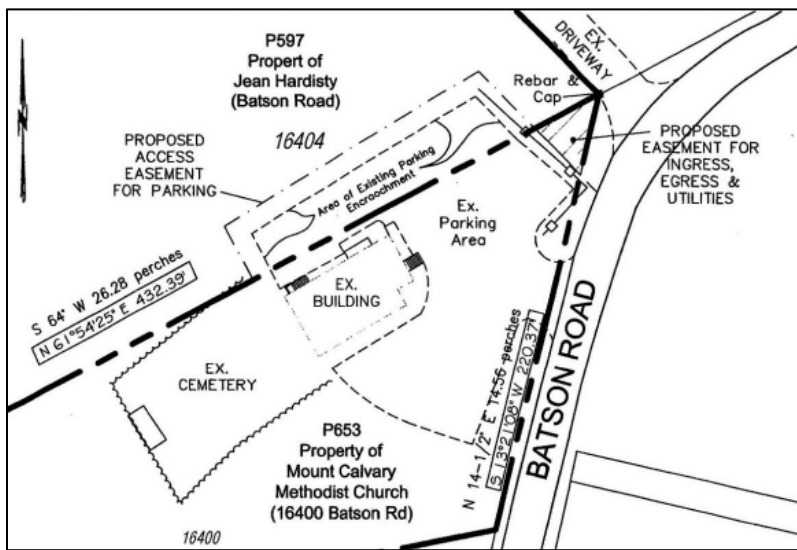


Figure 3. Illustration of easement for subject property. Page 10, Attachment A

WSSCR 24-POT-01A: PUFNZ REVOCABLE LIVING TRUST

Property address: 8300 Kingsgate Road, Potomac.

The applicant desires a change from S-6 to S-3 to allow public sewer service for an existing single-family detached house. The property is within the 2002 *Potomac Subregion Master Plan* area and is within the planned public sewer envelope. The property is eligible for public sewer service.

MCDEP Staff Recommendation: Approve S-3

Planning Staff Recommendation: Approve S-3

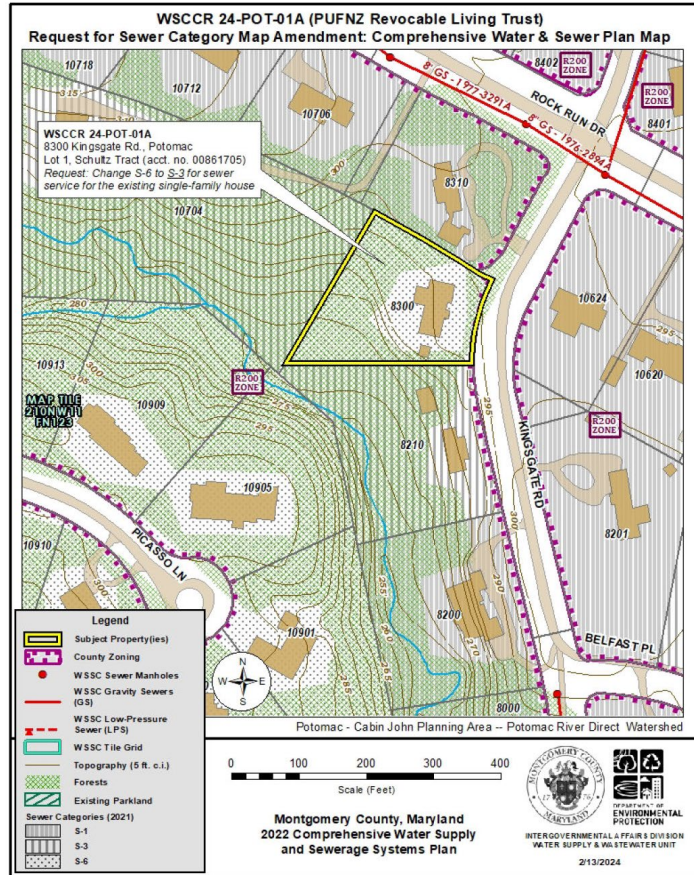


Figure 4. Page 15, Attachment A

WSCCR 24-TRV-02A: JOSEPH & LYNDA LEVINE

Property address: 5 Cleveland Court, Rockville.

The applicants desire a category change from S-6 to S-1 to allow public sewer service for an existing single-family detached house for the relief of a failed septic system. The property is within the 2002 *Potomac Subregion Master Plan* area and is outside the planned public sewer envelope. The property is within the Glen Hills Study Area, which has five conditions under which public sewer service can be granted in the *Water and Sewer Plan* based on recommendations in the master plan. In this case, the provisions of Section II.G.2.: Community Service to Relieve Onsite System Concerns, apply. This policy is one of the conditions for eligibility in the Glen Hills Study Area, but the policy would have applied regardless of the property's location in the Glen Hills Study Area. The property is eligible for public sewer service.

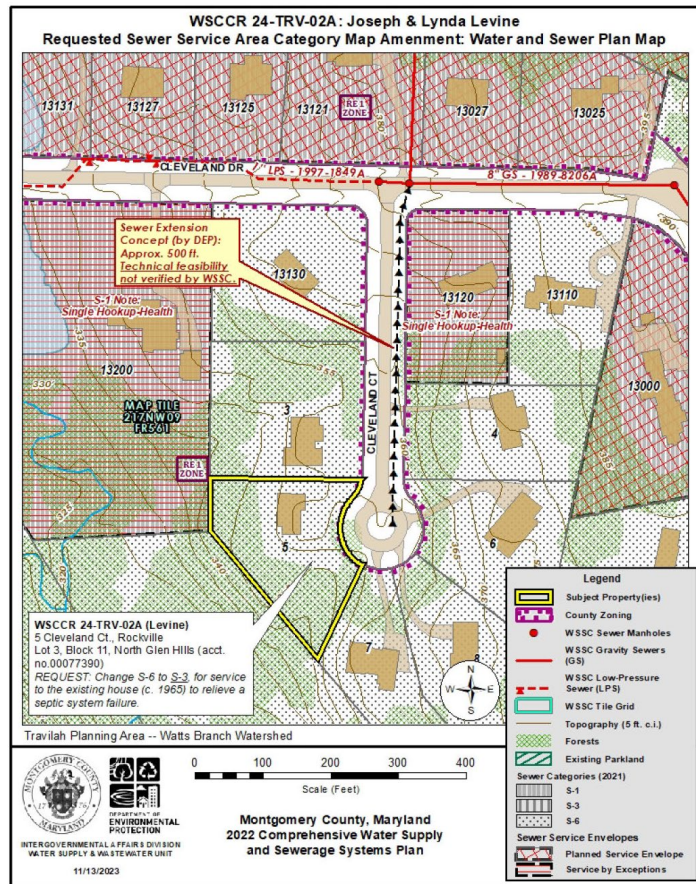


Figure 5. Page 18, Attachment A

The Department of Environmental Protection (DEP) granted an expedited request for public sewer service for the property on December 21, 2023. The property requires an approximately 500-foot sewer line extension along Cleveland Court.

MCDEP Staff Recommendation: Approve S-3

Planning Staff Recommendation: Approve S-3

SECTION 3: CONCLUSION

Staff recommends that the Planning Board approve the category change request recommendations. Staff will transmit the recommendations to the County Executive prior to final action.

ATTACHMENT

- A. County Executive Notice of Public Hearing and Attached Package



DEPARTMENT OF ENVIRONMENTAL PROTECTION

Marc Elrich
County Executive

Jon Monger
Director

May 23, 2024

NOTICE OF ADMINISTRATIVE DELEGATION (AD) 2024-1 PUBLIC HEARING


TO: Keith Levchenko, Senior Legislative Analyst
County Council

Patrick Butler, Upper County Planning Team, M-NCPPC
Maryland - National Capital Park and Planning Commission

Ray Chicca, Manager, Development Services Division
Washington Suburban Sanitary Commission

Heidi Benham, Manager, Well and Septic Section
Department of Permitting Services

Category Change Request Property Owners and Applicants

FROM: Alan Soukup, Senior Planner, Water Supply and Wastewater Unit
Department of Environmental Protection 

SUBJECT: **Administrative Public Hearing AD 2024-1 for Water and Sewer Plan Amendments**

DATE & TIME: **Wednesday, June 26, 2024, at 10:00 a.m.**

LOCATION: **Telephone Conference**
Please contact me at alan.soukup@montgomerycountymd.gov for instructions on joining the teleconference, or if you wish to submit written testimony.

Please be advised that the Montgomery County Department of Environmental Protection (DEP) will hold an administrative public hearing as specified above on the following requested water/sewer category map amendments (WSSCR) to the County's 2018 Comprehensive Water Supply and Sewerage Systems Plan:

WSSCR 23-POT-04A Kirsten & Brett Quigley
WSSCR 24-PAX-01A Brian Yong
WSSCR 24-POT-01A PUFNZ Revocable Living Trust
WSSCR 24-TRV-02A Joseph & Lynda Levine

Note: This administrative delegation hearing notice includes applications from the 2023-Q4, 2024-Q1, and 2024-Q2 agency review packets.

To assist with your review of this proposed action, DEP has created and posted a PDF to the "Service Area Category Changes" webpage at www.montgomerycountymd.gov/water/supply/category-changes.html. Select the blue "Application Hearing Schedule" tab to expand the section, then scroll down to the "Current Administrative Review Packet" heading. The hearing notice PDF includes the following information for the proposed amendments:

- Information summaries
- Staff reports and recommendations

- Mapping
- Supporting documents, as appropriate

We ask that Council staff provide the posted materials to the Councilmembers for their review. If Council staff members or their aides would like to meet with DEP regarding the proposed amendments, call me to arrange a date and time to review the cases before the public hearing. We request that the Council staff submit Councilmembers' comments to DEP no later than the hearing record closing date (see below). Please note that DEP cannot complete the administrative action without receiving this notice from Council staff.

We understand that the Montgomery County Planning Board will include this administrative packet for consideration on its agenda.

Attendance at DEP's administrative public hearing is optional for agency staff, applicants, and others. These requests will be considered at the time specified on page 1. If you wish to comment on a referenced amendment or on the staff recommendations, you may testify at the public hearing, or you may submit written testimony to:

Jon Monger, Director, DEP; 2425 Reedie Drive, 4th Floor, Wheaton, MD 20902;
or to alan.soukup@montgomerycountymd.gov.

DEP will close the record on July 3, 2024. Following the closing, DEP staff will prepare Statement of Action and provide it to the DEP director for approval. DEP will then send the action to the Maryland Dept. of the Environment (MDE) for review and concurrence.

Please do not hesitate to contact me at alan.soukup@montgomerycountymd.gov or at 240-777-7716 if you have any questions concerning these category change requests or on the schedule provided.

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cc: Andrew Friedson, President, Montgomery County Council
Linda Kobylski, Jason Flemming & Megan Wilhelm, DPS
Artie Harris, Chairperson, Montgomery County Planning Board
Donnell Zeigler, and Jamey Pratt, Upper County Planning Team, M-NCPPC
Jason Sartori, Functional Planning and Policy Division, M-NCPPC
Geoffrey Mason, Parks Planning and Stewardship Division, M-NCPPC
Fred Mejias, Development Services Division, WSSC
Luis Tapia, Permit Services Section, WSSC
D. Lee Currey, Director, Water and Science Admin., Maryland Dept. of the Environment
Rebecca L. Flora, Secretary, Maryland Department of Planning

Category Change Applicants & Interested Parties

WSSCR 23-POT-04A..... Kirsten & Brett Quigley
WSSCR 24-PAX-01A..... Brian Yong
WSSCR 24-POT-01A..... PUFNZ Revocable Living Trust
..... Jeffery Lewis, Site Solutions, Inc.
WSSCR 24-TRV-02A..... Joseph & Lynda Levine

Civic Organizations and Other Public Interest Groups

Nature Forward	Potomac Highlands Citizens Association
Greater Glen Mill Community Association	West Montgomery County Citizens Association
Greater Glen Hills Coalition LLC	Northern Montgomery County Alliance, c/o Julius Cinque
Greater Olney Civic Association	
Glen Hills Civic Association	
Glen Hills Community Coalition	
Glen Preservation Foundation	
Northern Montgomery County Alliance	
Montgomery County Civic Federation	
Montgomery Coalition to Stop Sewer Sprawl	

WSSCR 23-POT-04A: Kirsten & Brett Quigley

DEP Staff Recommendation: Approve S-1, for one sewer service connection only. Administrative policy V.D.2.a.: Community Service for Properties Abutting Community Mains

Property Information and Location Property Development	Applicant's Request: Service Area Categories & Justification				
<ul style="list-style-type: none"> • 9736 The Corral Dr., Potomac • Lot 8, Block E, Potomac Manors Sect. 2 (acct. no. 00881986) • Map tile: WSSC –212NW11; MD –FP22 • South side of The Corral Dr. west of the intersection with Bit and Spur Ln. • RE-2 Zone; 2.06 ac. • Potomac – Cabin John Planning Area Potomac Subregion Master Plan (2002) • Potomac R. Direct Watershed (MDE Use I) • <u>Existing use:</u> Single-family house • <u>Proposed use:</u> expansion of the existing house 	<p><u>Existing – Requested – Service Area Categories</u></p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">W-1</td> <td style="width: 50%;">(no change)</td> </tr> <tr> <td>S-6</td> <td>S-1</td> </tr> </table> <p>Outside the planned public sewer envelope, but within The Corral Drive special sewer service area.</p> <p><u>Applicant's Explanation</u></p> <p>"We are finishing existing space to convert to an Accessory Dwelling Unit and would like to connect to public sewer service."</p> <p><i>DEP Note: On July 7, 2023, DEP granted an advance approval for public sewer service for this request based on compliance with the Water and Sewer Plan's abutting mains policy. (See pages 7-9.)</i></p>	W-1	(no change)	S-6	S-1
W-1	(no change)				
S-6	S-1				

DEP Staff Report:

The applicants have requested a sewer category change from S-6 to S-1 for an existing single-family house proposed for a renovation. Although the lot is outside the planned public sewer envelope, it qualifies for a single sewer service connection under the Water and Sewer Plan's "abutting mains" special service policy. The recordation of the lot occurred in 1960 before the installation of the abutting sewer main in 2004. This block of The Corral Dr. is also within an identified public health concern area, although this case does not involve a septic system failure. Neither does the Potomac peripheral sewer service policy apply in this case.

M-NCPPC has concurred with the recommendation to approve category S-1 under the abutting mains policy. WSSC Water has confirmed that public sewer service can be provided from the abutting sewer main.

As noted in the preceding table, DEP granted an advance approval for public sewer service for this lot on July 7, 2023, as authorized under the provisions of the abutting mains policy.

Agency Review Comments

DPS: The property is served by the original septic system installed in 1962. There is no septic reserve area for the property. We have record of a sanitary survey conducted in 2001 for 15 homes on The Corral Drive. At that time, this property had no observable septic failure, and it was noted there was potential for one septic repair if successful testing was obtained.

M-NCPPC – Planning Dept.: The applicant is modifying unfinished space in an existing single-family detached house to accommodate an accessory dwelling unit and requests a sewer category change from S-6 to S-1 to allow public sewer service. The property is within the 2002 *Potomac Subregion Master Plan* area and is outside the planned public sewer service envelope. A gravity sewer line runs in The Corral Drive abutting the property. The master plan recommends public sewer service in the RE-2 zone within and at the periphery of the proposed sewer service envelope and where allowed by policies in the *Water and Sewer Plan*. The *Water and Sewer Plan's* abutting mains policy allows connections for properties abutting existing or approved mains. The property is eligible for public sewer service. The Department of Environmental Protection (DEP) granted an advance approval for public sewer service for the property on July 7, 2023.

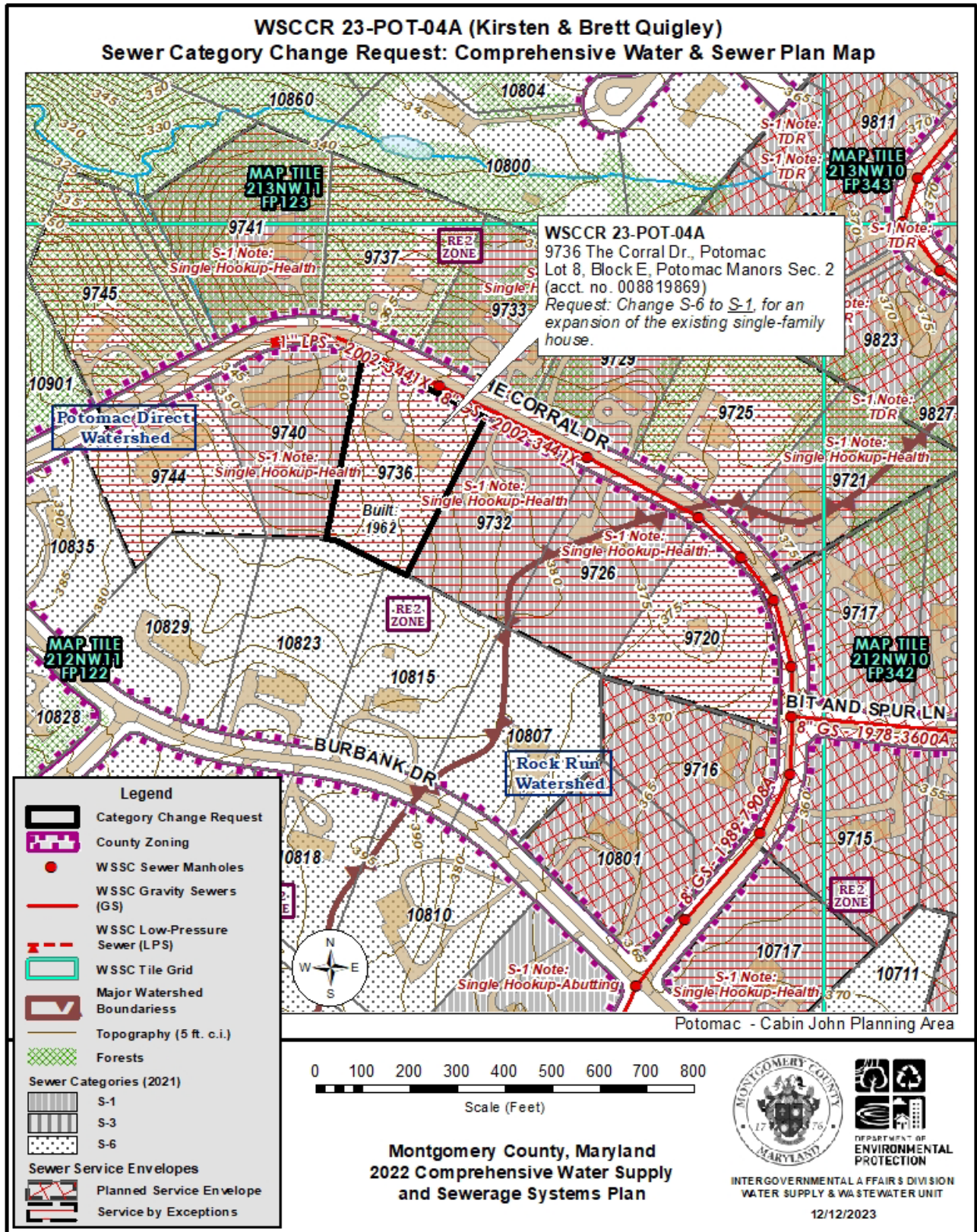
M-NCPPC – Parks Planning: No apparent park impacts.

WSSC - Water: (*not requested, water service available*)

WSSC - Sewer: Basin: 01-010. An 8-inch gravity sewer line in The Corral Drive abuts the property at 9736 Corral Dr., in Potomac. Sewer extension is not required. The property can be connected by obtaining a sewer service connection permit. Average wastewater flow from the proposed development: 280 GPD.

Modeled peak flow (10-year storm) under existing conditions for the Rock Run Basin is currently greater than the peak flow limitation to the Potomac Interceptor outlined in the Blue Plains Intermunicipal Agreement (IMA) of 2012. Program-sized sewer mains are not required to serve the property. Interceptor capacity is adequate. Treatment capacity is adequate.

Statements of adequacy/inadequacy are made exclusively for this application. Further analysis of adequacy will be part of the review at the time of application for water/sewer service.



Description: Sewer category map showing category change request 23-POT-04A seeking sewer category S-1 for 9736 The Corral Dr.



DEPARTMENT OF ENVIRONMENTAL PROTECTION

Marc Elrich
County Executive

Willie Wainer
Acting Director

MEMORANDUM

July 7, 2023

TO: Luis Tapia, Manager, Permit Services Unit, Development Services Group
Washington Suburban Sanitary Commission

FROM: Alan Soukup, Senior Planner, Water Supply and Wastewater Unit
Department of Environmental Protection

SUBJECT: Request to Provide a Single Sewer Service Connection

This is to request that WSSC Water accept and act on an application to provide public sewer service for the following property:

Property Address & Identification	Owner – Est. Date	Abutting Main - 200' Tile	WSSCCR No.
9736 The Corral Dr., Potomac Lot 8, Block E, Potomac Manors Section 2; acct. no. 00881986 (tax map FP22)	Brett & Kirsten Quigley Lot Created 1960 House Built: 1962	8" gravity & 1" low-pressure sewers (#2002-3441X) The Corral Dr. – built: 2004 (WSSC tile 212NW11)	WSSCCR 23-POT-04A

Our records show that the subject property was created by plat in 1960 and the existing house located on the lot was constructed in 1962, prior to construction of the abutting sewer main in 2004. Given this, the property is eligible for a single sewer service connection under the abutting mains service policy in the County's Water and Sewer Plan.

DEP will address the service area category change amendment cited above, which seeks to change the existing S-6 sewer category to S-1, allowing the provision of public sewer service. However, it will take our office some time to process and approve this request, and the owner has indicated an immediate need to proceed with the service to this site.

WSSC Water may install the requested sewer service connection and approve onsite plumbing permits in advance of DEP's approval of the associated service area category change. The County's Water and Sewer Plan allows DEP to direct WSSC Water to provide public service for cases which clearly satisfy the abutting mains policy.

If you have any questions concerning this request, please contact me at 240-777-7716

Attachment: Service Area Category Map (see pg. 3)

ADS:ads

Luis Tapia
July 7, 2023

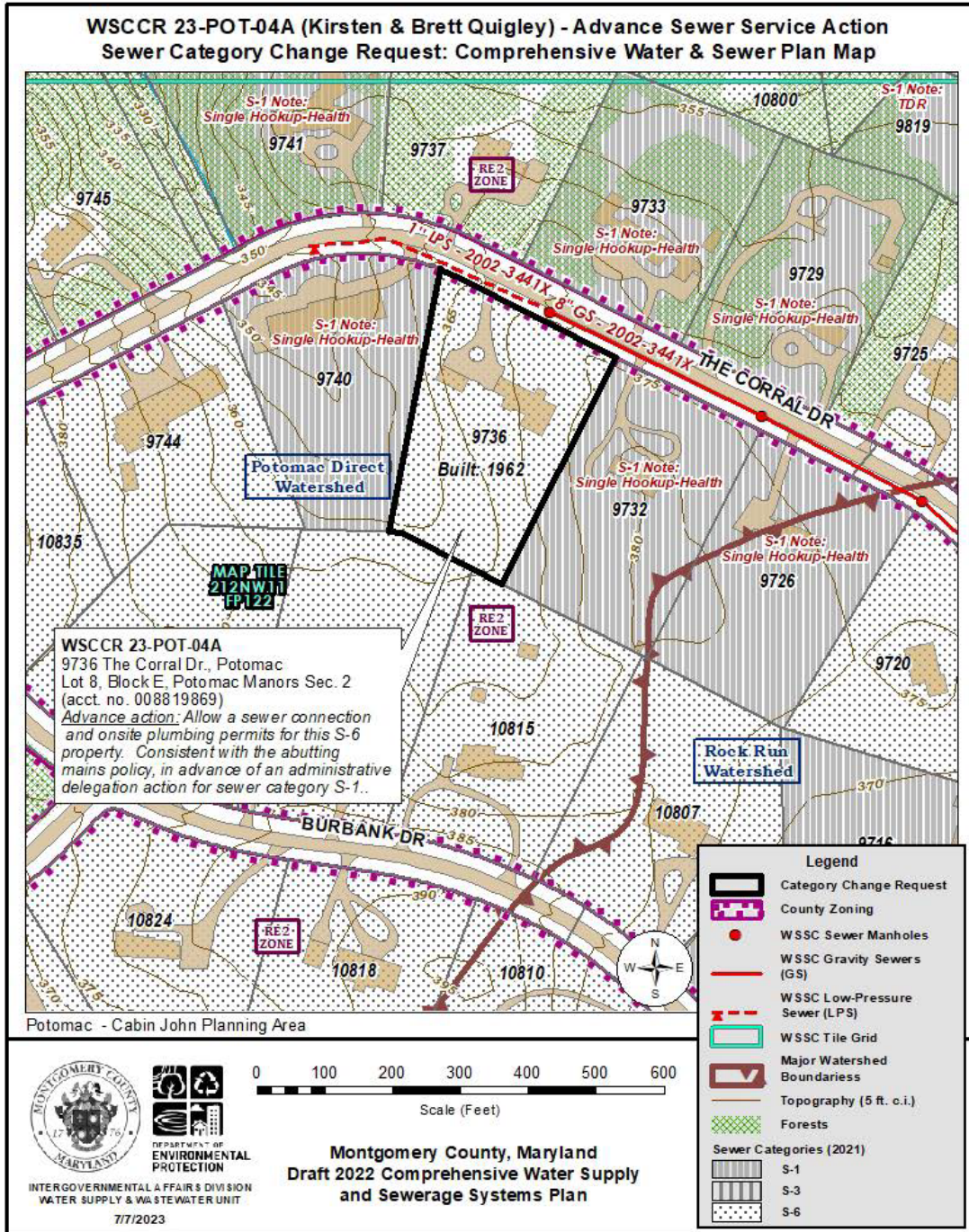
Page 2

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cc: Lisa Sine & April Snyder, Development Services Group - Permit Services, WSSC Water
Ray Chicca, Development Services Group, WSSC
Jason Sartori, Functional Planning Team, M-NCPPC
Patrick Butler, Donnell Ziegler, Katherine Nelson & Jamey Pratt, Upcounty Planning, M-NCPPC
Heidi Benham, Well and Septic Section, DPS
Keith Levchenko, County Council
Steve Shofar, DEP-IGAD
Brett & Kirsten Quigley

Luis Tapia
 July 7, 2023

Page 3



WSSCR 24-PAX-01A: Brian Yong

DEP Staff Recommendation: Approve W-1. Administrative policy V.D.2.a.: Community Service Consistent with Existing Plans. This property can be added to the planned public water service envelope.

<p>Property Information and Location Property Development</p> <ul style="list-style-type: none"> • 16406 Batson Rd. Spencerville • Parcel P597, Colesville Dist (acct. no. 00262086) • Map tile: WSSC –222NE03; MD –KS33 • West side of Batson Rd., 0.6 mile north of Spencerville Rd. • RC Zone; 6.10 ac. • Patuxent Watershed Conservation Planning Area Cloverly Master Plan (1997) • Lower Patuxent R. Watershed (MDE Use I) • <u>Existing use</u>: unimproved • <u>Proposed use</u>: one new single-family house 	<p>Applicant's Request: Service Area Categories & Justification</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="border-bottom: 1px solid black; width: 50%;"><u>Existing</u> –</td> <td style="border-bottom: 1px solid black; width: 50%;">Requested – Service Area Categories</td> </tr> <tr> <td>W-6</td> <td>W-1</td> </tr> <tr> <td>S-6</td> <td>S-6 (no change)</td> </tr> </table> <p><i>Outside the planned public water service envelope.</i></p> <p><u>Applicant's Explanation</u></p> <p><i>None provided.</i></p> <p><i>DEP Note: The subject parcel does not have frontage along Batson Rd. where the existing water main is located. The applicant has provided documentation of an access easement across the intervening property to allow for an offsite water house utility for the parcel (see pgs. 10-11). DEP can provide a copy of the recorded easement from the County's land records.</i></p>	<u>Existing</u> –	Requested – Service Area Categories	W-6	W-1	S-6	S-6 (no change)
<u>Existing</u> –	Requested – Service Area Categories						
W-6	W-1						
S-6	S-6 (no change)						

DEP Staff Report:

The applicant has requested a water category change from W-6 to W-1 to allow the provision of public water service to the property at 16406 Batson Rd. to build a single-family house on the now-vacant parcel. The parcel is zoned RC and includes 6.1 acres of land.

M-NCPPC staff note that the connection to public water service can be accomplished without effects on natural resources, as explained in the 1997 Cloverly Master Plan. They find that the property is eligible for public water service. WSSC Water has noted that a non-abutting water connection a Batson Rd. can be used if an easement is established for a private offsite house utility across the intervening property, Parcel P653.

Generally, public water service within the RC zone is intended for projects using the cluster development option. However, at approximately 6 acres, this parcel is too small for subdivision in this zone. Public water service can be considered without the cluster development option. DEP staff recommend approval for water category W-1.

Several W-6 properties in the vicinity of this request appear to have existing public water service, according to WSSC Water records. DEP will investigate further and prepare a water category correction action, as needed.

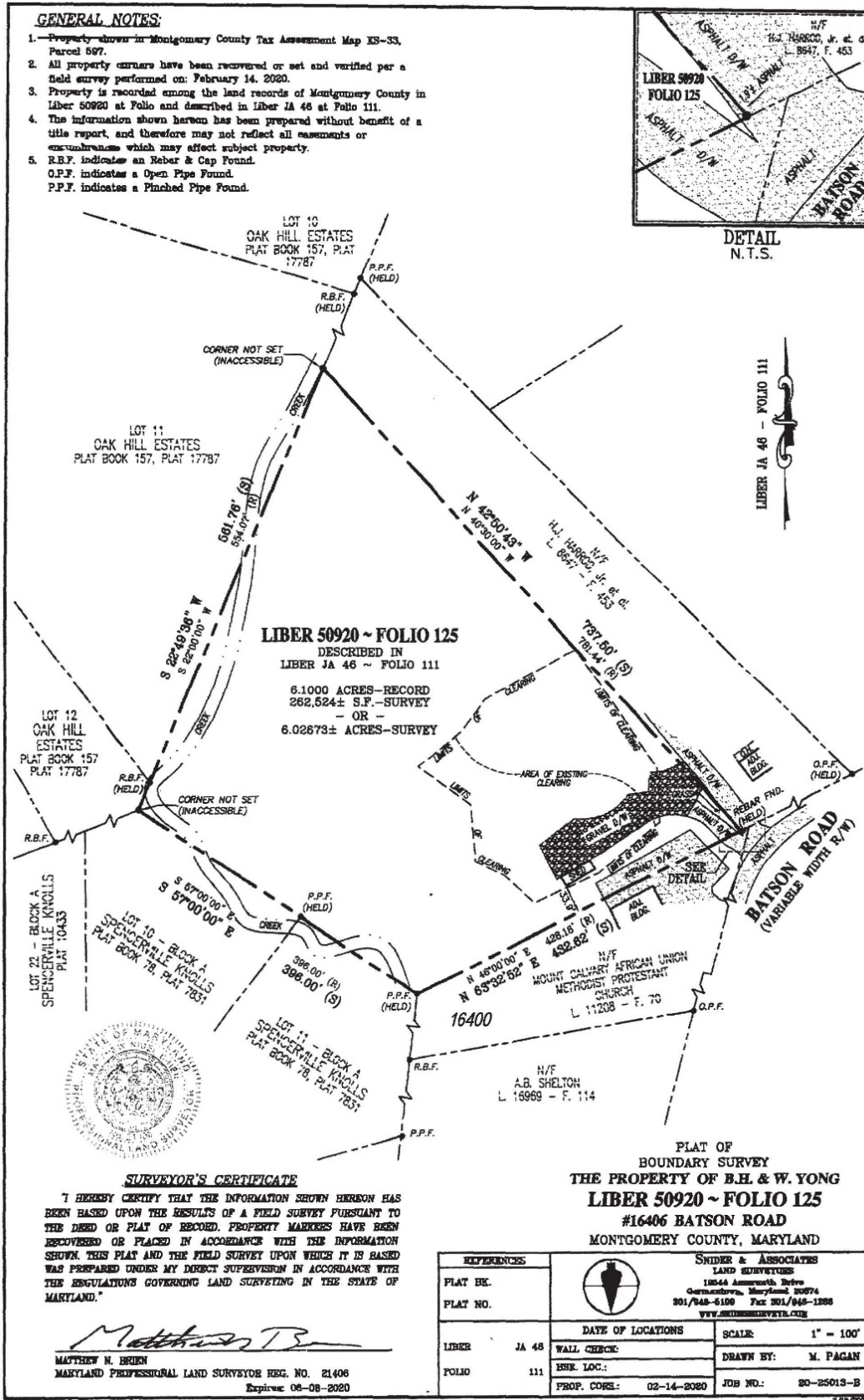
Agency Review Comments

DPS: A representative of DPS Well & Septic approved a septic site plan for the property on 6/12/12 approving the maximum 6-bedroom septic area but also indicating the property would use public water. Under the current service category a well must be drilled. DPS has no objection to the category change.

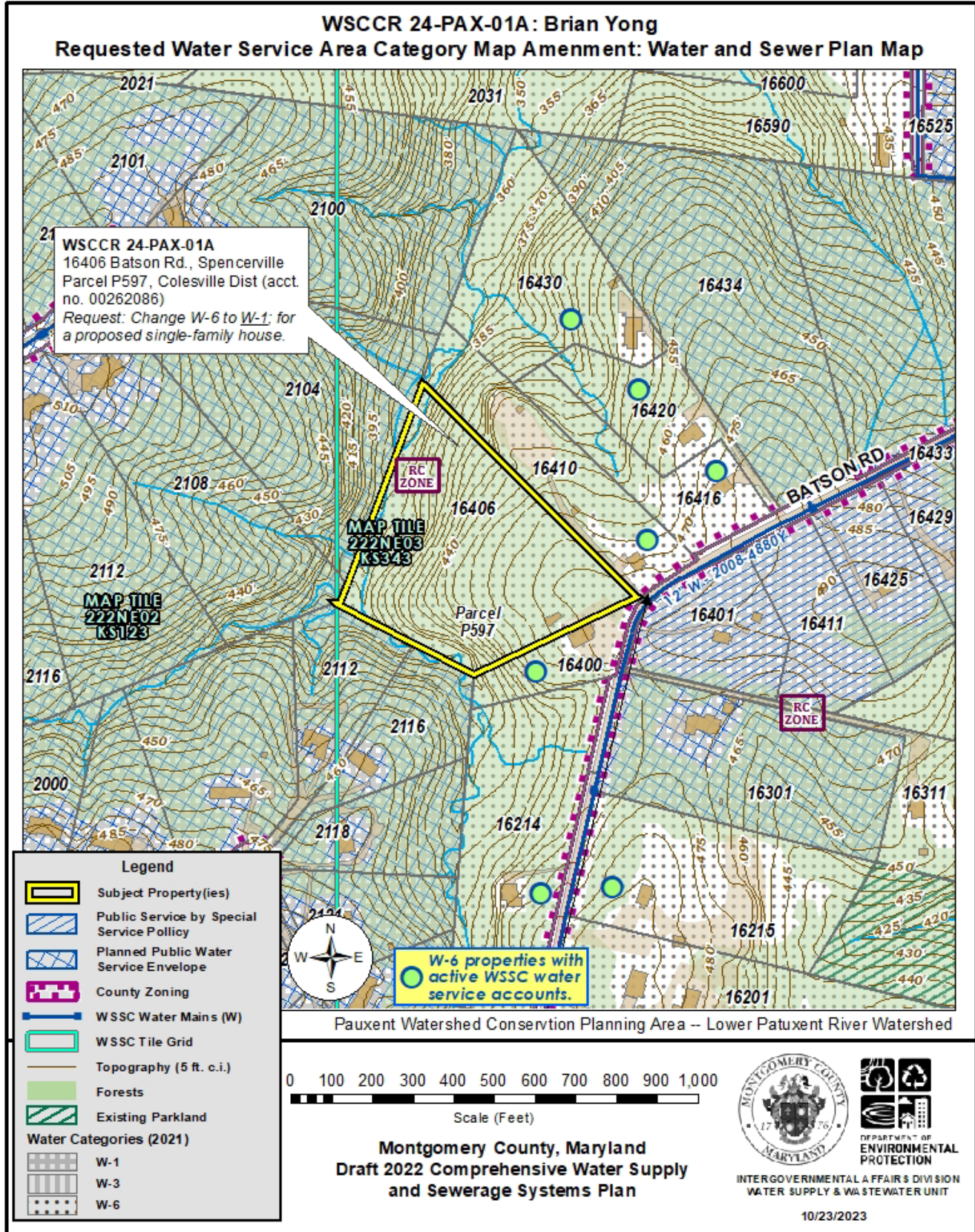
M-NCPPC – Planning Dept.: The applicant desires to build a single-family detached house on the property and requests a category change from W-6 to W-1 for public water service. The property is within the 1997 *Cloverly Master Plan* areas. The master plan recommends the extension of public water to RC-zoned properties in the plan area when the impact to natural resources is minimal. The property can connect to an existing water main in Batson Road via an easement across the intervening property. Connection to an existing main in the public right-of-way minimizes impacts to natural resources. The property is eligible for public water service.

M-NCPPC – Parks Planning: No apparent park impacts.

WSSC - Water: Water pressure zone: 660A. A 12inch water line is located in Batson Road (contract no.2008-4880Y). The subject property is close to, but does not abut, Batson Road. A private easement for access, installation and maintenance of a private water line across the neighboring parcel P653 at 16400 Batson Road will be required for service to the subject parcel. Alternatively additional street dedication for Batson Road (currently approximately 23' wide) could provide street frontage for the subject property avoiding the need for a private easement. Local service is adequate.



Description: Map showing Parcel P597 and surrounding properties.



Description: Water category map showing WSSCR 24-PAX-01A, planned public service envelope, existing water mains, and other base map information. Nearby W-6 properties with existing public water service are also shown.

WSCr.CR 24-POT-01A: PUFNZ Revocable Living Trust

DEP Staff Recommendation: Approve S-3. Administrative policy V.D.2.a.: Consistent with Existing Plans.

<p>Property Information and Location Property Development</p> <ul style="list-style-type: none"> • 8300 Kingsgate Rd., Potomac • Lot 1, Schultz Tract (acct. no. 00861705) • Map tile: WSSC –210NW11; MD –FN23 • West side of Kingsgate Rd., south of Rock Run Dr. • R-200 Zone; 47,133 sq.ft. (1.08 ac.) • Potomac – Cabin John Planning Area Potomac Subregion Master Plan (2002) • Potomac R. Direct Watershed (MDE Use I) • <u>Existing use</u>: Single-family house • <u>Proposed use</u>: Sewer service for the existing house 	<p>Applicant’s Request: Service Area Categories & Justification</p> <hr/> <p><u>Existing</u> – Requested – Service Area Categories</p> <p>W-1 (no change) S-6 S-3</p> <p>Within the planned public sewer envelope.</p> <hr/> <p><u>Applicant’s Explanation</u></p> <p>“The owner desires to utilize public sewer service to serve their property. The property lies within the planned sewer envelope per the County’s current Water and Sewer Plan and adjacent properties either are being served by public sewer or have had a category change approved that would allow extension to their property. Public sewer is approximately 250 feet away in Rock Run Dr.”</p>
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DEP Staff Report: The applicant has requested a sewer category change from S-6 to S-3 to allow the extension of public sewer service for an existing single-family house. The property is 1.08 acres in size, and in the R-200 zone. The property is located within the planned public sewer service envelope. Public sewer service is consistent with Water and Sewer Plan service policies.

DPS reports that the lot has no identified septic reserve area, although a single septic repair was apparently permitted in 1976 but not constructed. M-NCPPC staff conclude that public sewer service to the property is consistent with the recommendations in the 2002 Potomac Subregion Master Plan. WSSC Water reports that sewer service will require an approx. 250-foot main extension from an existing main at Kingsgate Rd. and Rock Run Dr. The extension will abut two other properties already designated as sewer category S-1 and also within the planned public sewer envelope.

DEP staff recommendation is for the approval of category S-3.

Agency Review Comments

DPS: The house is served by the original septic system installed in 1963. There is no septic reserve area. A repair permit was submitted in 1976 but no work was done. It appears that this property might still use a well. A well was drilled for the house and we have no abandonment report on file.

M-NCPPC – Planning Dept.: The applicant desires a change from S-6 to S-3 to allow public sewer service for an existing single-family detached house. The property is within the 2002 *Potomac Subregion Master Plan* area and is within the planned public sewer envelope. The property is eligible for public sewer service.

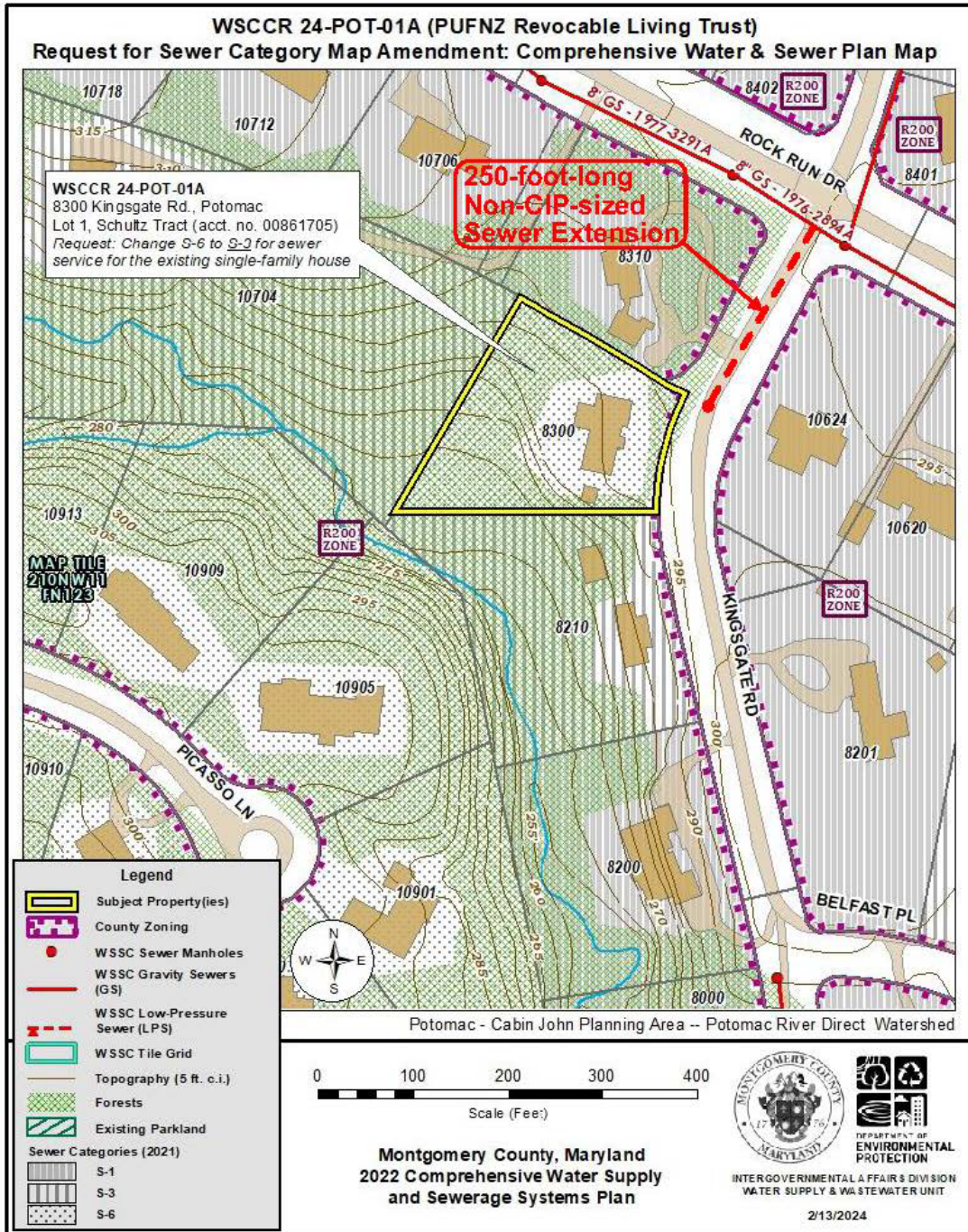
M-NCPPC – Parks Planning: No apparent park impacts.

WSSC - Water: *(A water category change was not requested.)*

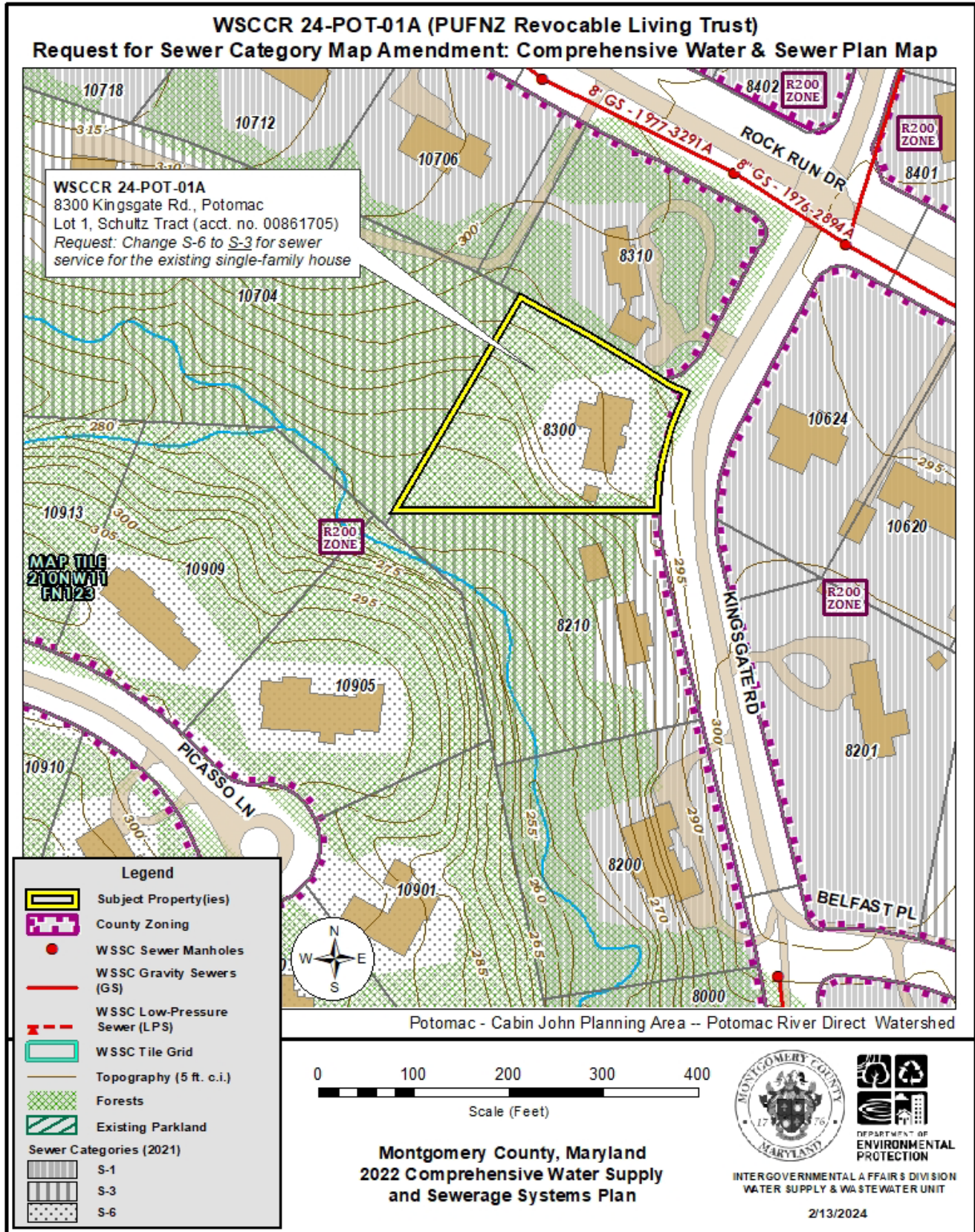
WSSC - Sewer: Basin: Dulles Interceptor. A 250-foot-long non-CIP-sized sewer extension is required to serve the property. This extension would connect to an existing 8-inch sewer in Rock Run Drive (contract no. 1976-2894A) and would abut approximately 2 properties in addition to the applicant’s.

Average wastewater flow from the proposed development: 280 GPD. Program-sized sewer mains are not required to serve the property. Interceptor capacity is adequate. Treatment capacity is adequate.

Statements of adequacy/inadequacy are made exclusively for this application at this time. Further analysis of adequacy will be part of the review at the time of application for water/sewer service.



Description: Sewer category map showing WSSCR 23-POT-04A, , existing sewer mains and other base map information.



Description: Sewer category map showing category change request 24-POT-01A seeking sewer category S-3 for 8300 Kingsgate Rd., Potomac.

Preceding map – Description: An illustration provided by WSSC-Water for the 250-foot sewer main extension needed for WSSCR 24-POT-01A (8300 Kingsgate Rd.)

WSSCR 24-TRV-02A: Joseph & Lynda Levine

DEP Staff Recommendation: Approve S-3, for a single sewer service connection only, for relief of a failed septic system. Administrative policy V.D.2.a.: Public Health Concerns. This action does not change the extent of the planned public sewer envelope.

<p>Property Information and Location Property Development</p> <ul style="list-style-type: none"> • 5 Cleveland Ct., Rockville • Lot 3, Block 11, North Glen Hills (acct. no.00077390) • Map tile: WSSC – 217NW09; MD –FR51 • West side , south end of Cleveland Ct. cul-de-sac • RE-1 Zone; 40,026 sq.ft. (0.92 ac.) • Travilah Planning Area Potomac Subregion Master Plan (2002) • Watts Branch Watershed (MDE Use I) • <u>Existing use:</u> Single Family Home <p><u>Proposed use:</u> Public Sewer Service for the relief of a failed septic system.</p>	<p>Applicant’s Request: Service Area Categories & Justification</p> <p>W-3 W-3 (no change) S-6 S-1</p> <p>Outside the planned public sewer envelope</p> <p><u>Applicant’s Explanation</u> “Failure of existing septic system (onsite).”</p> <p><i>DEP note: On Dec. 21, 2023, DEP issued an expedite sewer request to WSSC Water based on the septic system failure issued by DPS (see pages 29-31).</i></p>
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DEP Staff Report:

The applicants have requested a sewer category change from S-6 to S-3 to allow the provision of public sewer service to relieve a failed septic system. DPS Well & Septic notified DEP about the failure of the existing septic system on Nov 3, 2023, recommending connection to public sewer service. Additional information concerning the septic system problems at this location is found in the agency comments below. Sewer service is not directly available to the property, requiring an approx. 500-foot main extension along Cleveland Ct. Following careful consideration of Glen Hills area sewer service policies and service requirements, DEP issued an expedite sewer service memo to WSSC Water on Dec. 21, 2023.

M-NCPPC staff have concurred that this lot is eligible for public sewer service under the Glen Hills area sewer service policy. WSSC Water has advised that public sewer service will require a 460-foot, low-pressure sewer main extension from the existing gravity sewer main at Cleveland Dr.

Following up on the action taken on Dec. 21, 2023, DEP staff recommend the approval of sewer category S-3 for this case, restricted to a single sewer connection for the relief of a septic system failure.

Agency Review Comments

DPS: The house is served by the original septic system installed in 1964. There is no septic reserve area. A sewer expedite memo was sent to DEP on 11/3/23. DPS confirmed that the existing septic tank was failing by conducting a hydraulic overload test. A large drainage swale to the Watts Branch intersects the property precluding septic replacement in that area. The existing system is also less than 100’ to the existing well. *[DEP note: These properties also lack access to public water service. 100-foot septic system setbacks from the onsite well and an adjacent well places a considerable limitation on the area available for septic system repair.]*

M-NCPPC – Planning Dept.: The applicants desire a category change from S-6 to S-1 to allow public sewer service for an existing single-family detached house for the relief of a failed septic system. The property is within the 2002 *Potomac Subregion Master Plan* area and is outside the planned public sewer envelope. The property is eligible for public sewer service. The property is within the Glen Hills Study Area, which has five conditions under which public sewer service can be granted in the *Water and Sewer Plan* based on recommendations in the master plan. In this case, the provisions of Section II.G.2.: Community Service to Relieve Onsite System Concerns apply. This policy is one of the conditions for eligibility in the Glen Hills Study Area but would have applied regardless of the property’s location in the study area.

The property is eligible for public sewer service. The Department of Environmental Protection (DEP) granted an expedited request for public sewer service for the property on December 21, 2023. The property requires an approximately 500-foot sewer line extension along Cleveland Court.

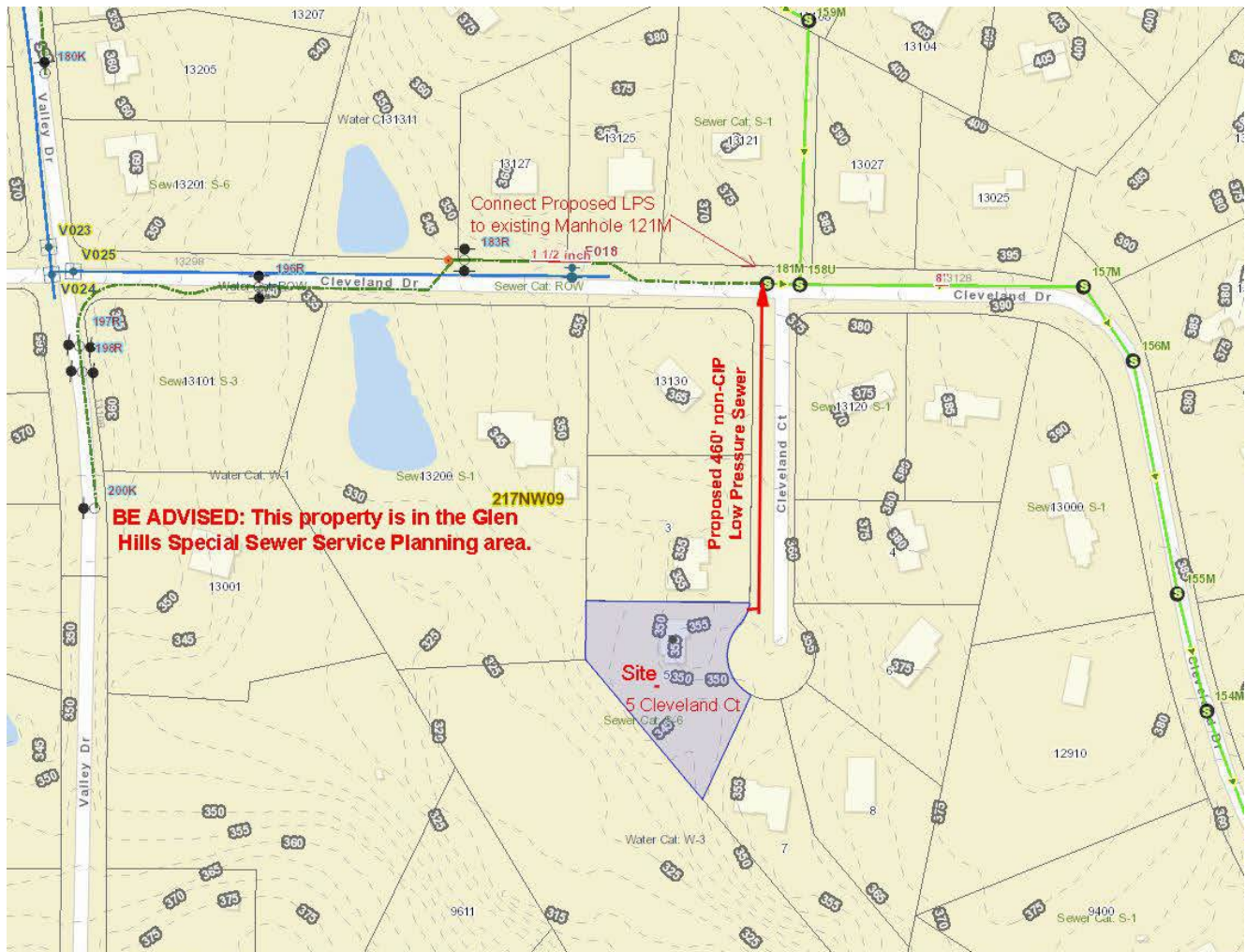
M-NCPPC – Parks Planning: No apparent park impacts.

WSSC - Water: (not requested)

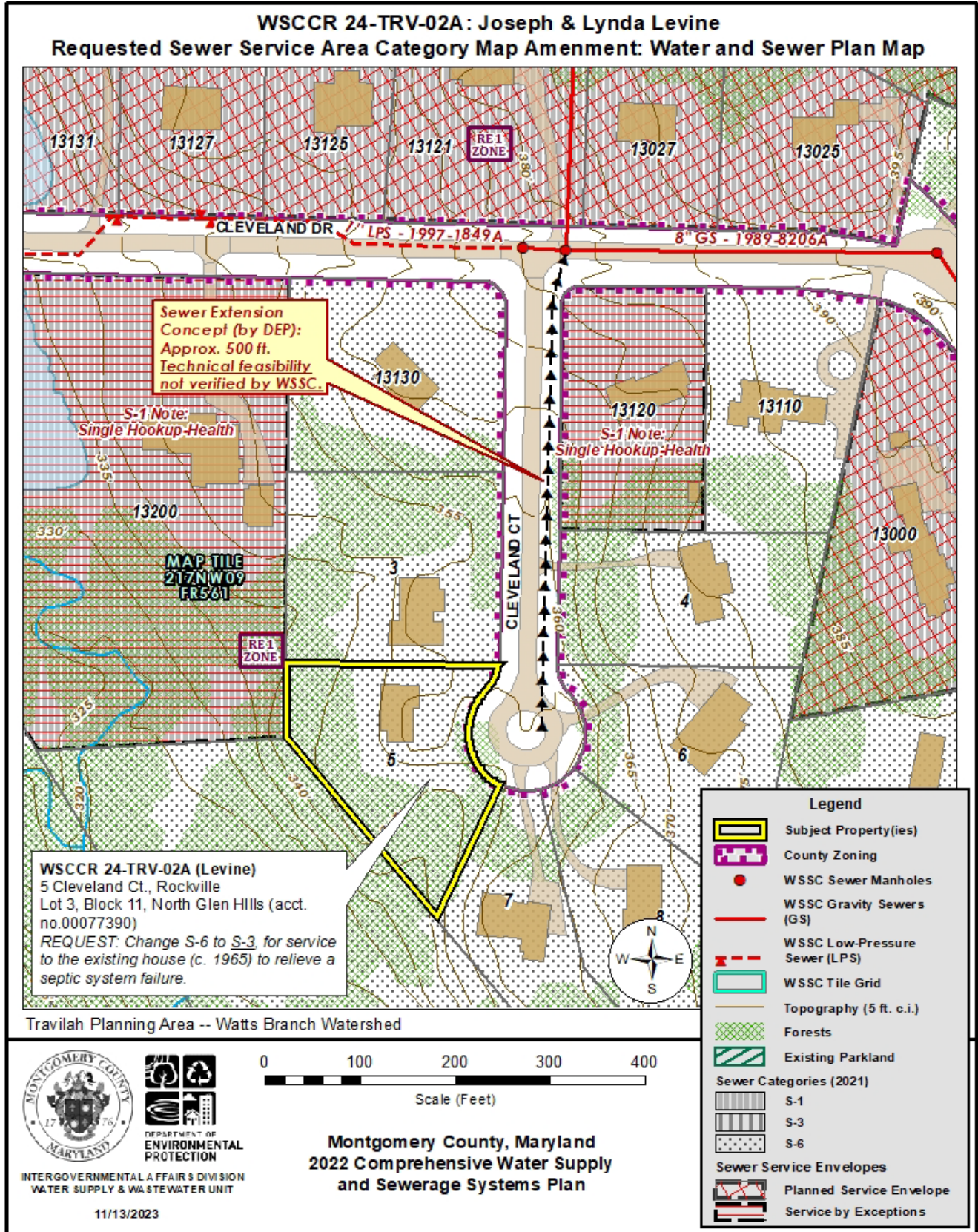
WSSC - Sewer: Basin: Watts Branch. This project is located in Glen Hills. Some parts of Glen Hills are located in a county designated *Special Sewer Service area*. Approximately 460-foot-long non-CIP-sized low pressure sewer extension is required to serve the property. This extension would connect to 8-inch sewer main along Cleveland Drive (contract no. 1997-1849A). This extension would only connect the applicant's property and the new sewer will not extent beyond the existing public road right-of-way. This extension is under hydraulic review HPA - North Glen Hills (DA7766Z24).

Average wastewater flow from the proposed development: 280 GPD. Program-sized sewer mains are not required to serve the property. This extension would not be required to appear in an adopted Capital Improvement Program since it does not meet the criteria for a major project (Maryland Code Annotated, Public Utilities Article, §23-301). Interceptor capacity is adequate. Treatment capacity is adequate.

Statements of adequacy/inadequacy are made exclusively for this application at this time. Further analysis of adequacy will be part of the review at the time of application for water/sewer service.



Description: Proposed sewer extension map for 5 Cleveland Ct., Rockville (WSSCR 24-TRV-02A), provided by WSSC Water with the preceding comments.



Description: Sewer category map showing category change request 24-TRV-02A seeking sewer category S-3 for 5 Cleveland Ct., Rockville.



DEPARTMENT OF ENVIRONMENTAL PROTECTION

Marc Elrich
County Executive

Jon Monger
Director

MEMORANDUM

December 21, 2023

TO: Ray Chicca, Division Chief, Development Services Group
Luis Tapia, Unit Coordinator, DSD Permit Services
Washington Suburban Sanitary Commission

FROM: Alan Soukup, Senior Environmental Planner, Water Supply and Wastewater Unit
Interagency Affairs Division, Department of Environmental Protection

SUBJECT: Public Service Relief for Onsite Systems Problems

A handwritten signature in blue ink, appearing to be "ALS".

We request WSSC Water's assistance in expediting the provision of public service to the following property:

Sewer Service: 5 Cleveland Court, Rockville

Property I.D.:	Lot 3, Block 11, North Glen Hills; acct.no. 00077390 (SDAT tax map: FR51)		
Owner:	Joshua & Lynda Levine	Categories:	Water: W-3 Sewer: S-6
WSSC grid:	217NW09	Zoning/Size:	RE-1; 40,006 sq.ft. (
Planning Area:	Traviah	Watershed:	Watts Branch

The Department of Permitting Services (DPS), Well and Septic Section, has advised this office of a public health problem, a septic system failure, at the subject property (see the attached memorandum). DPS recommended relief of this problem by connecting the site to public sewer service, due to a leaking septic tank. The septic system is also located within 100 feet of the onsite well, which is not consistent with the County's onsite systems regulations. It appears that the provision of public sewer service will require a sewer main extension of approximately 500 feet north along Cleveland Ct. to the closest, existing main along Cleveland Dr.

Although this property is designated as category S-6 in the County's Water and Sewer Plan, DPS acknowledgment of a public health concern is sufficient justification to warrant the expedited provision of public sewer service, regardless of the existing service area category. The property owners have filed a request with DEP for a service area change from S-6 to S-3, WSSCR 24-TRV-02A.

Given these conditions, it is reasonable to relieve this public health concern by expediting the provision of public sewer service. **WSSC Water does not need to wait for the approval of a Water and Sewer Plan sewer category amendment to provide public sewer service; public service via the WSSC-Water's system should be provided as soon as possible.** We would appreciate your assistance in this matter.

The property owner will need to contact WSSC Water to begin the application process for public sewer service. Neither DEP nor DPS staff can initiate a WSSC Water service application on the owner's behalf.

2425 Reedie Drive, Fourth Floor • Wheaton, Maryland 20902 • 240-777-0311 • 240-777-7715 FAX • MontgomeryCountyMD.gov/DEP

MontgomeryCountyMD.gov/311



301-251-4850 TTY

Description: DEP expedite sewer service request to WSSC Water for 5 Cleveland Ct. (WSSCR 24-TRV-02A), Dec. 21, 2024.

Ray Chicca and Luis Tapia, WSSC Water
December 21, 2023

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For a sewer main extension, the owner can contact the WSSC Water Development Services Division (DSD) at 301-206-8650 or at onestopshop@wsscwater.com for additional information, or refer to WSSC DSG webpage at <https://www.wsscwater.com/work-with-us/design-and-construction>.

If you have any questions, or if there are significant problems related to provision of sewer service, please contact me at either alan.soukup@montgomerycountymd.gov or 240-777-7716.

Attachments (see pages 3 and 4)

R:\Programs\Water_and_Sewer\well-septic\HEALTHAZ\CASE\C\cleveland-ct-5--septic\2023-1221--xpdsewer-memo--ads-dep--2wssc--draft.docx

cc: Lisa Sine and Sharon Spruill, Permit Services Unit, WSSC Water
Steven Shofar, Chief, Intergovernmental Affairs Division, DEP
Heidi Benham and Jared Sluzalis, Well and Septic Section, DPS
Mark Symborski, Functional Planning Division, M-NCPPC
Patrick Butler, Donnell Zeigler and Jamey Pratt, Upcounty Planning Division, M-NCPPC
Joshua & Lynda Levine

Ray Chicca and Luis Tapia, WSSC Water
December 21, 2023

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DEPARTMENT OF PERMITTING SERVICES

Marc Elrich
County Executive

Rabbiah Sabbakhan
Director

November 3, 2023

TO: Alan Soukup
Water Supply & Wastewater Unit
Department of Environmental Protection
2425 Reedie Drive, 4th floor
Wheaton, MD 20902

FROM: Heidi Benham
Well and Septic Section
Dept. of Permitting Services
2425 Reedie Drive, 7th floor
Wheaton, MD 20902

SUBJECT: Request for Sewer Connection

LOCATION: 5 Cleveland Court
Rockville, MD 20850
Tax Map Grid: FR51
WSSC Grid: 217 NW 09

The owner the subject property, Joshua Levine, has requested our assistance in obtaining an expedited sewer connection due to a failing septic system. Jared Sluzalis confirmed on 11/2/23 during an evaluation that the septic system is failing. This property is currently designated as sewer category S-6.

If I can be of further assistance, please contact me at 240-777-6318.